

Filed: 12/16/2024

Clerk, U.S. District Court
Western District of Texas

By: FM

Deputy

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

USA

vs.

(1) XAIOFEI CHEN

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§

Case Number: EP:24-CR-02635(1)-KC

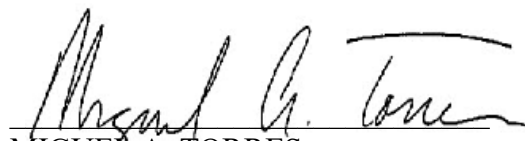
ORDER SETTING D.C. ARRAIGNMENT

IT IS HEREBY ORDERED that the above entitled and numbered case is set for *D.C. ARRAIGNMENT in Room 712, on the 7th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX on **Friday January 03, 2025 @ 10:00 AM**.

IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order to counsel for defendant, the United States Attorney, United States Pretrial Services and United States Probation Office. Counsel for the defendant shall notify the defendant of this setting and, if the defendant is on bond, advise the defendant to be present at this proceeding.

In accordance with Federal Rule of Criminal Procedure 5(f), as amended by the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the Government is hereby notified of and ordered to comply with (1) the prosecutor's disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and (2) the possible consequences of violating this Order, which may include sanctions such as delay of trial or other proceedings, the exclusion of evidence, the giving of adverse jury instructions, the granting of a new trial, the dismissal of charges, or contempt proceedings.

IT IS SO ORDERED this 16th day of December, 2024.



MIGUEL A. TORRES

UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA

vs.

(1) XAIOFEI CHEN

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§

NO: EP:24-CR-02635(1)-KC

**WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT
AND
ENTRY OF PLEA OF NOT GUILTY**

COMES NOW Defendant in the above referenced case who, along with his undersigned attorney, hereby acknowledges the following:

1.) Defendant has received a copy of the indictment or information in this case. Defendant understands the nature and substance of the charges contained therein, the maximum penalties applicable thereto, and his Constitutional Rights, after being advised of all the above by his attorney.

2.) Defendant understands he has the right to appear personally with his attorney before a Judge for arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he/she will be so arraigned in open Court.

Defendant, having conferred with his/her attorney in this regard, hereby waives personal appearance with his attorney at the arraignment of this case and the reading of the indictment or information, and, by this instrument, tenders his/her plea of "not guilty". The defendant understands that the entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes.

Date: _____

Defendant

Attorney for Defendant

ORDER

APPROVED by the Court. A plea of "Not Guilty" is entered for defendant effective this date.

Date: _____

United States Magistrate Judge